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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Docket No.: Q77419

Hideaki NARUSE et al.

Appln. No.: 10/665,432

Group Art Unit: 1774

Confirmation No.: 6506

Examiner: Camie S Thompson

Filed: September 22, 2003

For: POLYMER COMPOSITION CONTAINING ORGANIC MODIFIED
LAYERED SILICATE, FILM AND GAS BARRIER FILM AS WELL AS
SUBSTRATE AND IMAGE DISPLAY DEVICE USING THEM

DECLARATION UNDER 37 CFR 1.132

Honorable Commissioner of Patents and Trademarks,
Washington, D.C. 20231

Sir:

I, Hideaki NARUSE, a Japanese citizen, having a post office address of c/o Fuji Photo Film Co., Ltd., No.210, Nakanuma Minami-ashigara-shi, Kanagawa 250-0193 Japan, hereby declare and state that I received a Master's Degree from Shizuoka University, Graduate School of Science and Engineering, Course of Chemical Systems Engineering in March of 1984, and I was employed by Fuji Photo Film Co., Ltd. in April of 1984 and since that time to May of 1995 I had been principally engaged in research and development of application methods of materials for photosensitive products such as couplers and anti-fading agents in Ashigara Research Laboratories of said company. I also declare and state that since June of 1995 to December of 2002 I had been principally engaged in research and

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development of color photothermographic materials and since January of 2002 I have been principally engaged in research and development of barrier films for electronic devices. My present position is a Manager of Advanced Core Technology Laboratories.

I declare further that I am the inventor of the subject matter of the claims in the above-identified application and I have read all of the documents contained in the file wrapper of the above-entitled application.

I declare further that the test described below was conducted at my direction and under my supervision and the test results are true and correct to the best of my knowledge.

EXPERIMENT AND RESULTS

Organic Modified Layered Silicate F was prepared in the manner set forth in Example 1 of Kawasumi et al., U.S. Patent No. 4,810,734 using 12-aminododecanoic acid provided by Wako Pure Chemical Industries, Ltd.

Decomposition starting temperature of Organic Modified Layered Silicate F was measured by the method described in the present specification (see page 9, line 29 to page 10, line 1). The result is shown below.

| Organic Modified Layered Silicate | Decomposition Starting Temperature (°C) |
|-----------------------------------|---|
| F (12-Aminododecanoic acid) | 196 |

DISCUSSION

The above table clearly shows that the decomposition starting

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temperature of Organic Modified Layered Silicate F is outside the claimed range (250 to 350 °C).

As described in page 10, lines 2-5 of the specification, conventional organic modified layered silicates have a lower decomposition starting temperature than the claimed range. The above test result and the data disclosed in the declaration dated April 28, 2005 indicate that the organic modified layered silicates exemplified in U.S. Patent No. 4,810,734 and U.S. Ser. No. 10/606,236 do not have the claimed decomposition temperature and these documents fail to suggest the method for achieving the claimed high decomposition temperature. I trust that the claimed invention is patentable.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Dated this 14 day of November 2005.

Hideaki Naruse
Hideaki NARUSE